

CONFERENCE COMMITTEE REPORT DIGEST FOR ESB 110

Citations Affected: IC 12-17.2-4-2; IC 12-17.4-3-2.

Synopsis: Care of children. Provides certain standards that a child care provider that receives a child care development voucher must meet. Specifies that a local step ahead council may not require child care ministries to meet additional standards unless those additional standards are approved by the general assembly or the division of family and children. Requires an applicant for a class I child care home license to meet certain requirements regarding education and training. Allows a class I child care home to serve a school age child during a break in the school year that exceeds four weeks if: (1) the school age child was at the home part-time during the four months preceding the break or has a sibling attending the child care home; and (2) the child care home and its licensee meet certain requirements. Removes the requirement that a person reside in a child care home to qualify for a license to operate a class II child care home. Lifts the July 1, 1996, moratorium imposed on the licensure of class II child care homes. Changes the definition of "child care center". Requires employees of child care institutions, group homes, and child care centers to be currently (as opposed to "annually") certified in cardiopulmonary resuscitation (CPR). (This conference committee report does the following: (1) removes a provision that would have required the division of family and children to adopt rules to require each child who is less than 18 years of age and who resides in a family that receives monthly cash assistance payments through the federal Temporary Assistance to Needy Families (TANF) program to receive certain immunizations and that provided exemptions for religious and medical reasons; and (2) requires employees of child care institutions, group homes, and child care centers to be currently (as opposed to "annually") certified in cardiopulmonary resuscitation (CPR).)

Effective: July 1, 2001.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill No. 110 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Page 4, between lines 17 and 18, begin a new paragraph and insert:
- 2 "SECTION 6. IC 12-17.2-4-2 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) A license may be
- 4 issued only if a child care center is in compliance with food, health,
- 5 safety, and sanitation standards as determined by the division under
- 6 rules adopted by the division under IC 12-17.2-2-4 or in accordance
- 7 with a variance or waiver approved by the division under
- 8 IC 12-17.2-2-10.
- 9 (b) A license may be issued only if the child care center is in
- 10 substantial compliance with the fire and life safety rules as determined
- 11 by the state fire marshal under rules adopted by the division under
- 12 IC 12-17.2-2-4 or in accordance with a variance or waiver approved by
- 13 the division under IC 12-17.2-2-10.
- 14 (c) The division may issue a waiver or variance regarding a
- 15 determination by the division or the state fire marshal under
- 16 subsections (a) and (b).
- 17 (d) Except as provided in subsection (e), the division may issue a
- 18 license under this chapter only if the child care center is staffed, when
- 19 children are being cared for, by at least one (1) child care provider who
- 20 is ~~annually~~ **currently** certified in a program on pediatric
- 21 cardiopulmonary resuscitation and pediatric airway obstruction under
- 22 the American Heart Association's Basic Life Support Course D or any

1 other comparable course approved by the division.

2 (e) The requirement set forth in subsection (d) does not apply to a
3 child care center that:

4 (1) serves only children who are at least thirteen (13) years of age
5 and less **than** twenty-one (21) years of age; and

6 (2) has on duty, when the children are being cared for, at least one
7 (1) child care provider who is **annually currently** certified in a
8 program on ~~cardipulmonary~~ **cardiopulmonary** resuscitation as
9 required by the division.

10 (f) Upon request, the county ~~department of public welfare~~ **office of**
11 **family and children** shall provide, within forty-eight (48) hours,
12 excluding weekends and holidays, copies of substantiated
13 noncompliances and other substantiated complaints filed with the
14 division of family and children concerning a licensed child care center.

15 SECTION 7. IC 12-17.4-3-2 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) A license may be
17 issued only if the child caring institution is in substantial compliance
18 with food, health, safety, and sanitation standards under rules adopted
19 by the division under IC 12-17.4-2-4 or in accordance with a variance
20 or waiver approved by the division under IC 12-17.4-2-8.

21 (b) A license may be issued only if the child caring institution is in
22 compliance with the fire and life safety rules as determined by the state
23 fire marshal under rules adopted by the division under IC 12-17.4-2-4
24 or in accordance with a variance or waiver approved by the division
25 under IC 12-17.4-2-8.

26 (c) The division may issue a waiver or variance regarding a
27 determination by the state fire marshal under subsection (b).

28 (d) Except as provided in subsection (e), the division may not issue
29 a license under this chapter unless the child caring institution is staffed
30 by, when children are being cared for, at least one (1) child care
31 provider who is **annually currently** certified in a program on pediatric
32 cardiopulmonary resuscitation and pediatric airway obstruction under
33 the American Heart Association's Basic Life Support Course D or any
34 other comparable course approved by the division.

35 (e) The requirement under subsection (d) does not apply to a child
36 caring institution that only serves children who are at least thirteen (13)
37 years of age and less than twenty-one (21) years of age. However, a
38 child caring institution that only serves children who are at least
39 thirteen (13) years of age and less than twenty-one (21) years of age
40 must have on duty, when children are being cared for, at least one (1)
41 child care provider who is **annually currently** certified in a program on
42 cardiopulmonary resuscitation as required by the division."

43 Page 4, line 38, delete "part-time" and insert "**part time**".

44 Page 6, delete lines 13 through 26.

45 Page 6, delete line 30.

46 Renumber all SECTIONS consecutively.

(Reference is to ESB 110 as reprinted April 12, 2001.)

Conference Committee Report
on
Engrossed Senate Bill 110

Signed by:

Senator Lawson C
Chairperson

Representative Crosby

Senator Craycraft

Representative Budak

Senate Conferees

House Conferees